IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 1225 of 2005

Between:

D.Shivaiah, S/o.Swamy, Office Assistant
Finance and Accounts, Univeristy of Hyderabad. Gachibowli,

Hyderabad, R/o.Hyderabad.

... PETITIONER

AND

Hyderabad University, Rep.by its Registrar Gachibowli,

Hyderabad.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ order or direction particularly one in the nature of Mandamus declaring the inaction on the part of the Respondent in recasting the seniority of the petitioner as office Assistant taking into consideration his date of promotion as 31-03-1986 is illegal and arbitrary and consequently direct the Respondent to recast the same forthwith with all consequential attendant benefits.

Counsel for the Petitioner: DR.P.B.VIJAY KUMAR

Counsel for the Respondent: MR.C.V.NAGARJUNA REDDY

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Mandamus declaring the inaction of the respondent, in recasting the petitioner's seniority as Office Assistant taking into consideration the date of his promotion as 31-03-1986, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondent.

3. The grievance of the petitioner is that the respondent university has not duly taken into consideration the date of promotion of the petitioner as 31-03-1986 as recommended by the Grievance Committee. The grievance committee, in its meeting held on 27-09-2003, 15-10-2003 and 21-10-2003, discussed about the grievance submitted by the employees and an opportunity was given to those employees to put forth their grievance. Insofar as the present petitioner is concerned, he submitted representation dated 25-09-2003 requesting to order a review of the decision notified in the proceedings dated 20-03-1991, as he was not shown in the seniority list either from the date of joining or among those people who joined in that cadre on the same date, and pass appropriate orders restoring his seniority along with other office assistants. The committee, having considered the grievance of the petitioner, recommended to fix the seniority as per the date of joining as office assistant; the respondent university has to take appropriate decision in pursuance of the recommendations made by the grievance committee.

4. Under those circumstances, without entering into the merits of the case, the respondent university is directed to consider the case of the petitioner pursuant to his representation dated 25-09-2003, duly taking into account the recommendations submitted by the grievance committee, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of at the admission stage. There shall be no order as to costs.

K.C. BHANU, J

February 3, 2005

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1. The Registrar, Hyderabad University, Gachibowli, Hyderabad.
2. Two C.D. Copies.